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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 CYNTHIA VEGA MURILLO,

12 Defendant.

CASE NO. CR11-5079BHS

ORDER

13 This matter comes before the Court on the Defendant's Unopposed Motion to Continue
14 Trial Date and Pretrial Motions Due Date. The Court, having considered the unopposed motion
15 and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of
16 law:

17 1. Defense counsel was substituted into this case on March 16, 2015, and requires
18 additional time beyond the current trial date of June 16, 2015, in order to review discovery,
19 investigate factual allegations, conduct legal research and prepare and file pretrial motions.

20 2. Defense counsel is schedule to have hip replacement surgery on June 16, 2015, and
21 will then require approximately 6-weeks of physical therapy.

22 3. The defense needs additional time to explore all relevant issues and defenses
applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 4. Taking into account the exercise of due diligence, a continuance is necessary to allow
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of
5 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 5. Proceeding to trial absent adequate time for the defense to prepare would result in a
7 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

8 6. The ends of justice served by granting this continuance outweigh the best interests of
9 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

10 7. Defendant waived speedy trial through September 30, 2015.

11 NOW, THEREFORE, IT IS HEREBY ORDERED

12 That the trial date is continued from June 16, 2015 to September 15, 2015 at 9:00 a.m.;
13 Pretrial Conference is set for September 8, 2015, at 1:30 p.m.; pretrial motions are due by August
14 5, 2015. The resulting period of delay from May 27, 2015, to September 15, 2015, is hereby
15 excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

16 Dated this 1st day of June, 2015.

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BENJAMIN H. SETTLE
United States District Judge